

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

UNITED STATES OF AMERICA	:	CRIMINAL ACTION NO.
	:	3:01-CR-0037 (JCH)
v.	:	
	:	
TYREE ROBINSON	:	
	:	OCTOBER 30, 2009

ORDER OF CONTEMPT

On August 27, 2009, at the initial hearing for defendant Tyree Robinson on the Petition for Warrant or Summons for Offender Under Supervision (Doc. No. 106), the court ordered Robinson to be taken into custody after determining that he was a danger to the community. See Transcript of Proceedings held on August 27, 2009 (“Tr.”), at 24:7-25:19 (Doc. No. 110). In response to the court’s order, Robinson had an extremely vulgar outburst, repeatedly shouting, inter alia, profanities at the court and eventually spitting on the floor of the courtroom. See Tr. at 25:20-26:5. This behavior continued until Robinson was removed from the courtroom by security officers.

On September 8, 2009, the government made a Motion to Hold the Defendant in Contempt on the basis of this outburst. See Mot. to Hold Def. in Contempt (Doc. No. 112). On October 27, 2009, the court held a hearing.¹ Rule 42(b) of the Federal Rules of Criminal Procedure states that the court may “summarily punish a person who commits criminal contempt in its presence if the judge saw or heard the contemptuous conduct and so certifies.” Fed. R. Crim. P. 42(b). Robinson’s outburst took place in the presence of this court. The undersigned so certifies. The Second Circuit has held that

¹ The issue of whether the passage of two months is “summary” punishment was addressed at the hearing. After consulting with his counsel, defendant agreed to waive any objection to proceeding before the undersigned under Rule 42.

“disrespectful remarks to the court” can constitute criminal contempt. See, e.g., U.S. v. Lumumba, 794 F.2d 806, 809 (2d Cir. 1986); see also U.S. v. Marshall, 371 F.3d 42, 46 (2d Cir. 2004).

The court determines that Robinson’s outburst was extremely disrespectful to the court. The court **GRANTS** the government’s Motion and holds Tyree Robinson in criminal contempt of court.

SO ORDERED.

Dated at Bridgeport, Connecticut this 30th day of October, 2009.

/s/ Janet C. Hall
Janet C. Hall
United States District Judge